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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,187	03/24/2004	Joseph S.M. Peiris	V9661.0078	4585
32172	7590	08/09/2007	EXAMINER	
DICKSTEIN SHAPIRO LLP 1177 AVENUE OF THE AMERICAS (6TH AVENUE) NEW YORK, NY 10036-2714			CAMPELL, BRUCE R	
		ART UNIT	PAPER NUMBER	
		1648		
		MAIL DATE	DELIVERY MODE	
		08/09/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b><i>Supplemental Notice of Allowability</i></b>	Application No.	Applicant(s)
	10/808,187	PEIRIS ET AL.
	Examiner	Art Unit
	Mary E. Mosher, Ph.D.	1648

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to \_\_\_\_\_.
2.  The allowed claim(s) is/are 1-3, 11, 12 and 14-32.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*    c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

### **SUPPLEMENTAL EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Izumi Yokuyama on August 3, 2007.

The application has been amended as follows:

**In the specification:**

Page 21, at line 18: "complement" has been changed to --complement (which may be the full length complement),-- .

**In the claims:**

Claim 1, at line 2, "a complement" has been changed to --the full length complement"--.

Claim 2, at line 2, "a complement" has been changed to --the full length complement"--.

Claim 3, at line 2, "a complement" has been changed to --the full length complement"--.

Claim 11, at line 4, --primers— has been inserted after "which".

Claim 11, at line 5, "in" has been deleted.

Claim 12, at line 4, --primers— has been inserted after "which".

Claim 12, at line 5, "in" has been deleted.

Claim 14, at line 7, --primers— has been inserted after "which".

Claim 17, at line 7, --primers— has been inserted after "which".

Claim 22, at line 3, "a complement" has been changed to --the full length complement"--.

Claim 23, at line 3, "a complement" has been changed to --the full length complement"--.

Claim 24, at line 3, "a complement" has been changed to --the full length complement"--.

Claim 25, at line 8, "a complement" has been changed to --the full length complement"--.

Claim 28, at line 7, --primers— has been inserted after "which".

Claim 28, at line 8, "a complement" has been changed to --the full length complement"--.

Claim 31, at line 3, "a complement" has been changed to --the full length complement"--.

### **Examiner's comment**

The specification has been amended to provide literal support for the "full length complement" of the claimed sequences. This is not considered new matter because one skilled in the art would immediately recognize that "a complement" of a nucleic acid

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sequence includes the full length complement, whose sequence is dictated by the recited SEQ ID NO.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary E. Mosher, Ph.D. whose telephone number is 571-272-0906. The examiner can normally be reached on varying dates and times; please leave a message..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bruce Campell can be reached on 571-272-0974. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Mary E Mosher, Ph.D.  
Primary Examiner  
Art Unit 1648